

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA
ex rel. MARK OEHM,,

Plaintiff,

v.

ORDER
05-CV-242S

NATIONAL AIR CARGO, INC. AND
CHRISTOPHER J. ALF

Defendants.

This matter having come before the Court on the Joint Stipulation of Dismissal, pursuant to 31 U.S.C. § 3730 of the False Claims Act, and the Court being fully advised in the matter, and finding that there is good cause to grant the requested relief,

IT HEREBY IS ORDERED that the parties having agreed to a settlement of this matter, the Court finds that it is fair, adequate, and reasonable pursuant to 31 U.S.C. § 3730 and including 31 U.S.C. §§3730(c)(2)(B) and (d), and, accordingly, the Court approves the Joint Stipulation of Dismissal;

FURTHER that, except as specifically set forth below, the Complaint in this action is hereby dismissed with prejudice as to the relator and with prejudice to the United States for the Covered Conduct described in the written settlement agreement and otherwise without prejudice as to the United States;

FURTHER that each Party shall bear its own costs except as otherwise provided in the settlement agreement between the Parties;

FURTHER that the Court shall retain jurisdiction over this action solely for purpose

of enforcing the terms of the settlement agreement by and between the Parties.

SO ORDERED.

Dated: March 26, 2008
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge